

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**CHMURA ECONOMICS &
ANALYTICS, LLC,**

Plaintiff,

v.

RICHARD LOMBARDO,

Defendant.

**Case No. 3:19-cv-00813
Judge Robert E. Payne**

**MOTION OF DEFENDANT RICHARD LOMBARDO TO DISMISS COMPLAINT
PURSUANT TO FED.R.CIV.P. 12(b)(6)**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and Local Civil Rule 7(F) for the U.S. District Court for the Eastern District of Virginia, Defendant Richard Lombardo (“Lombardo”) respectfully requests that this Court issue an Order dismissing the claims of Plaintiff Chmura Economics & Analytics, LLC (“Chmura”) because the Complaint fails to state a claim upon which relief may be granted.

A memorandum in support of this Motion is attached.

Respectfully submitted,

THE LAW OFFICES OF THOMAS J. POWELL, P.C.

/s/ Thomas J. Powell

Thomas J. Powell, Esq., VSB #27604
3603-D Chain Bridge Road
Fairfax, VA 22030-3244
Tel: (703) 293-9050 | Fax: (703) 293-9075
Email: tom@tjplaw.com

Christine Marie Cooper, Esq.*
Koehler Fitzgerald LLC
1111 Superior Avenue East, Suite 2500
Cleveland, Ohio 44114
Tel: (219) 539-9376 | Fax: (216) 916-4369
Email: ccooper@koehler.law

**Pro hac vice* application pending

Attorneys for Defendant Richard Lombardo

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Motion to Dismiss has been served on this 25th day of November 2019, via the Court's electronic filing system upon the following:

Rodney A. Satterwhite (VA Bar No. 32907)
Heidi E. Siegmund (VA Bar No. 89569)
McGuireWoods LLP
Gateway Plaza
800 East Canal Street
Richmond, Virginia 23219
(Office) (804) 775-1000
(Fax) (804) 698-2158
rsatterwhite@mcguirewoods.com
hsiegmund@mcguirewoods.com

Counsel for Plaintiff

/s/ Thomas J. Powell

Thomas J. Powell